November 7, 2002

Re: Medical Dispute Resolution
MDR #: M2-02-0535-01-SS
IRO Certificate No.: 5055

TRANSMITTED VIA FAX TO:
Texas Workers' Compensation Commission
Attention: Rosalinda Lopez
Medical Dispute Resolution
Fax: (512) 804-4868

Dear

In accordance with the requirement for TWCC to randomly assign cases to IROs, TWCC assigned your case to ___ for an independent review. ___ has performed an independent review of the medical records to determine medical necessity. In performing this review, ___ reviewed relevant medical records, any documents provided by the parties referenced above, and any documentation and written information submitted in support of the dispute.

The independent review was performed by a matched peer with the treating health care provider. Your case was reviewed by a physician who is Board Certified in Orthopedic Surgery.

I am the Secretary and General Counsel of ___ and I certify that the reviewing physician in this case has certified to our organization that there are no known conflicts of interest that exist between him and any of the treating physicians or other health care providers or any of the physicians or other health care providers who reviewed this care for determination prior to referral to the Independent Review Organization.

We are simultaneously forwarding copies of this report to the payor and the Texas Workers' Compensation Commission. This decision by Independent Review, Inc. is deemed to be a Commission decision and order.

Clinical History:
This female patient was injured on the job on ___, and has an indefinite diagnosis. Electrodiagnostic studies and imaging are normal.

Disputed Services:
Bilateral Rhizotomy L3-L4, L4-L5, L5-S1 with fluoroscopy.

Decision:
The reviewer agrees with the determination of the insurance carrier. The reviewer is of the opinion that the requested procedure is not medically necessary in this case.

Rationale for Decision:
Although this patient has not been diagnosed, it is possible that the most frequent diagnosis of myofascial pain syndrome is the most appropriate. There are no invasive procedures appropriate to treat that diagnosis.

This patient has had a long course of treatment unsupported by diagnostic studies with ongoing pain complaints. CT scans revealed no facet pathology. A "blanket" approach of injections to facets, S-1 joint, discograms and LASE procedure in the face of totally normal imaging studies is not appropriate treatment in this case.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of this decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within ten (10) days** of your receipt of this decision (28 Tex. Admin. Code 142.5©).

If disputing other prospective medical necessity (preauthorization) decisions a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within twenty (20) days** of your receipt of this decision (28 Tex. Admin. Code 148.3).

This Decision is deemed received by you **five (5) days** after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5 (d)). A request for a hearing should be sent to:

Chief Clerk of Proceedings
Texas Workers' Compensation Commission, MS-48
P.O. Box 40669
Austin, TX 78704-0012

A copy of this decision should be attached to the request. The party appealing the decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute.

I hereby verify that a copy of this Independent Review Organization (IRO) Decision was sent to the carrier, the requestor and claimant via facsimile or U.S. Postal Service from the office of the IRO on November 7, 2002.

Sincerely,